

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

CORNELIUS COLEMAN AND LINDA  
HORAN, on behalf of themselves and all  
others similarly situated,

Plaintiffs,

v.

RAILWORKS CORPORATION, KEVIN  
RIDDETT AND BOB CUMMINGS,

Defendants.

Case No. 20-civ-02428 (GBD)

**PLEASE TAKE NOTICE** that, on a date and time convenient to the Court, Plaintiff in the above-captioned matter will move this Court, pursuant to Federal Rules of Civil Procedure 23(a), (b)(3), and (e) for an order: (1) certifying the proposed Settlement Class; (2) naming Plaintiffs as class representatives; (3) appointing Finkelstein, Blankenship, Frei-Pearson & Garber, LLP and Thomas & Solomon LLP as Class Counsel; (4) granting preliminary approval to the Settlement Agreement; (5) approving the proposed Notice Plan; (6) scheduling a final fairness hearing; and (7) granting such further relief the Court deems reasonable and just.

In support of this motion, Plaintiff respectfully submits the accompanying memorandum of law.

Dated: White Plains, New York  
November 30, 2020

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Jeremiah Frei-Pearson  
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/s/ Jessica L. Lukasiewicz

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